

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEROME L. GRIMES,

Plaintiff,

v.

DEPUTY WELLESCH, et al.,

Defendants.

Nos. C 13-0018 JSW (PR)
C 13-0120 JSW (PR)
C 13-0121 JSW (PR)
C 13-0122 JSW (PR)
C 13-0123 JSW (PR)
C 13-0124 JSW (PR)
C 13-0125 JSW (PR)
C 13-0126 JSW (PR)
C 13-0127 JSW (PR)
C 13-0199 JSW (PR)
C 13-0200 JSW (PR)
C 13-0257 JSW (PR)

ORDER OF DISMISSAL

Plaintiff, an inmate in the San Francisco County Jail and frequent litigator in this Court, has recently filed the twelve pro se civil rights cases listed above. On May 18, 2000, this Court informed Plaintiff that under the "three-strikes" provisions of 28 U.S.C. § 1915(g) he generally is ineligible to proceed *in forma pauperis* in federal court with civil actions filed while he is incarcerated. *See Grimes v. Oakland Police Dept.*, C 00-1100 CW (Order Dismissing Complaint, 5/18/00). Since then, Plaintiff has continued to file hundreds of civil rights actions seeking *in forma pauperis* status. With respect to each action filed, the Court conducts a preliminary review to assess the nature of the allegations and to determine whether Plaintiff alleges facts which bring him within the "imminent danger of serious physical injury" exception to § 1915(g). In the past, Plaintiff has routinely been granted leave to amend to pay the full filing fee and to state

1 cognizable claims for relief, but he has habitually failed to do so. For example, in 2003
2 alone Plaintiff's failure to comply resulted in the dismissal of approximately thirty-six
3 actions under § 1915(g).


4 In accord with this ongoing practice, the Court has reviewed the allegations in the
5 present actions and finds that Plaintiff alleges no facts which bring him within the
6 "imminent danger" clause. The majority of these actions challenge the validity of his
7 arrest, criminal charges, and criminal proceedings that led to his current incarceration.
8 He otherwise makes nonsensical or inherently impossible allegations, such as that
9 defendants (jail and other county officials) are "covert terrorists," deal in "agent orange"
10 and cyanide, and commit "kidnap and post-9/11/01 hijacking and robbery terror." As
11 has been explained to Plaintiff countless times, such claims are barred. Therefore, it
12 would be futile to grant Plaintiff leave to amend. And even if Plaintiff did amend, he
13 would be required to pay the \$350.00 filing fee, which he has never done.

14 Accordingly, these cases are DISMISSED without prejudice under § 1915(g).
15 The applications to proceed *in forma pauperis* are DENIED. No fee is due. If Plaintiff
16 is so inclined, he may bring his claims in a new action accompanied by the \$350.00 filing
17 fee. In any event, the Court will continue to review under § 1915(g) all future actions
18 filed by Plaintiff while he is incarcerated in which he seeks *in forma pauperis* status.

19 The Clerk of the Court shall close the files and terminate all pending motions in
20 the cases listed in the caption of this order.

21 IT IS SO ORDERED.

22 DATED: February 4, 2013

23 
24 _____
25 JEFFREY S. WHITE
26 United States District Judge
27
28

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 4, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jerome L. Grimes
#12675072
S.F.C.J
1 Moreland Drive
San Bruno, CA 94066

Dated: February 4, 2013



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk